

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITIOIN No.15700 of 2019

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

2. The petitioner claims to be the absolute owner and possessor of agricultural land an extent of Acs.2.16 guntas in Sy. No.639, situated at the outskirts of Polasa Village, Jagtial Mandal and District. He claims to have purchased the said land in the year 2007. He asserts that his name was mutated in the Revenue Records and Pattadar Passbooks and title deeds were also issued to him. While so, the unofficial respondents herein, claiming to be the successors to the vendor of the petitioner by securing false documents, are trying to alter the Revenue Records and dispossess the petitioner. The petitioner filed O.S No.8 of 2018 on the file of the Senior Civil Judge at Jagtial to grant permanent injunction against the unofficial respondents herein from interfering with the possession and enjoyment of the subject property. On 05.02.2018, the Senior Civil Judge at Jagtial granted injunction in I.A. No.21 of 2018. According to the learned counsel for the petitioner, the said injunction is subsisting.

3. While so, the petitioner now alleges that the respondent authorities are interfering with his possession and enjoyment over the above said land at the behest of the unofficial respondents. On 06.06.2019 and 19.07.2019, the petitioner made representations to the

Revenue Divisional Officer, Jagtial – 2nd respondent, requesting him not to interfere with the above said land.

4. A reading of the representations of the petitioner would show that the petitioner is apprehending that the unofficial respondents may submit an application to the authorities concerned by producing false documents with a request to carry out corrections in the revenue records and to mutate their names, and therefore, requested the 2nd respondent not to entertain such application.

5. Under the Andhra Pradesh Rights in Lands and Pattedar Passbooks Act, 1971 (for short "Act 1971"), if any person claims title to the property or in possession, he can file an application and if such application is filed, the Tahsildar is duty bound to process the same. The petitioner cannot request the 2nd respondent not to entertain the application that may be filed by the unofficial respondents, even before such application is made. It is needless to observe that the Act 1971 envisages a detailed procedure to process such applications and therefore, what is stated in the representations of petitioner is a preemptive exercise.

6. The writ petition is accordingly dismissed, leaving it open to the petitioner to work out his remedies in accordance with law. No order as to costs.

Miscellaneous petitions, if any pending, shall stand dismissed.

P. NAVEEN RAO, J

July 26, 2019
KTL